

Damian P. Richard, Esq. (SBN 145953)
SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.
1545 Hotel Circle South, Suite 150
San Diego, CA 92108-3426
Tel: 619/758-1891
Fax: 619/296-2013
drichard@sessions.legal

Attorneys for OPTUM, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRAD CREAGER, ESTATE OF
HOLLY CREAGER, by and through its
Personal Representative, Brad Creager,

Plaintiff,

v.

OPTUM, INC.,

Defendant.

CASE NO.:

NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. §
1441(a) [FEDERAL QUESTION]

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE THAT defendant OPTUM, INC. ("OPTUM")
hereby removes to this Court the state court action described below.

1. This action is a civil action of which this Court has original
jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this
Court by defendant pursuant to the provisions of 28 U.S.C. § 1441(a) in that it
arises under the Fair Debt Collections Practices Act, 15 U.S.C. §1692g(b).

2. On or about May 10, 2016 the action was commenced in the Circuit
Court of the State of Oregon, for the County of Benton, entitled, *Brad Creager,
Estate of Holly Creager, by and through its Personal Representative, Brad*

1 *Creager v. OPTUM, Inc.*, Case No. 16CV15633 (the “State Court Action”). A
2 copy of the Plaintiff’s Summons and Complaint (“Complaint”) is attached hereto
3 as Exhibit A.

4 3. The date upon which OPTUM first received a copy of the said
5 Complaint was June 8, 2016, when OPTUM’s agent for service of process was
6 served with a copy of the Complaint. Thus, pursuant to 28 U.S.C. § 1446(b),
7 OPTUM has timely filed this Notice of Removal.

8 4. A copy of this Notice of Removal is being served upon Plaintiff and
9 will be filed in the State Court Action.

10 5. The State Court Action is located within the District of Oregon.
11 Therefore, venue for purposes of removal is proper because the United States
12 District Court for the District of Oregon embraces the place in which the removed
13 action was pending 28 U.S.C. § 1441(a).

14 6. Removal of the State Court Action is therefore proper under 28 U.S.C.
15 §§ 1441 and 1446.

16
17 Dated: 7/8/2016

18 SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.
19 /s/Damian P. Richard
20 Damian P. Richard
21 Attorneys for Defendant
22 OPTUM, Inc.
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